

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

ERICA R. BARRETT, KATHLEEN D.)	
VINCENT, CONNIE ENDERLE, EDWARD)	
Q. INGERSON, II, PENNY M. KENOYER)	
and GILBERT J. ONTIVEROS, individually)	
and on behalf of all others similarly situated,)	
)	
<i>Plaintiffs,</i>)	Case No. 6:22-3111-CV-S-BCW
)	
v.)	
)	
O'REILLY AUTOMOTIVE, INC., THE)	
BOARD OF DIRECTORS OF O'REILLY)	
AUTOMOTIVE, INC., O'REILLY)	
AUTOMOTIVE 401(K) PLAN)	
INVESTMENT COMMITTEE and JOHN)	
DOES 1-30,)	
<i>Defendants.</i>)	

**DEFENDANTS' NOTICE OF NEW
RELEVANT AUTHORITY IN SUPPORT OF DEFENDANTS'
MOTION TO DISMISS THE FIRST AMENDED CLASS ACTION COMPLAINT**

Pursuant to this Court's order dated November 21, 2022 (ECF No. 42), submitted herewith for consideration in connection with Defendants' Motion To Dismiss The First Amended Class Action Complaint (ECF No. 26) is *Matousek v. MidAmerican Energy Company*, No. 21-2749, 2022 WL 6880771 (8th Cir. Oct. 12, 2022) (Exhibit A).

Dated: November 22, 2022

Respectfully submitted,

/s/ James R. Carroll

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of O'Reilly Automotive, Inc., The O'Reilly*

*Automotive 401(k) Plan Investment Committee, and
John Does 1-30*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically with the United States District Court for the Western District of Missouri, Southern Division, on this 22nd day of November, 2022, with notice of case activity generated and sent electronically to all counsel of record.

/s/ James R. Carroll